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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,
11 Plaintiff,
12
13 v.
14 JUAN CARLOS SEQUEIRA,
15 Defendant.

Case No. 2:18-mj-492-PAL

STIPULATION TO CONTINUE
BENCH TRIAL

(Second Request)

16 IT IS HEREBY STIPULATED AND AGREED, by and between Dayle Elieson, United
17 States Attorney, and Allison Reese, Assistant United States Attorney, counsel for the United
18 States of America, and Rene L. Valladares, Federal Public
19 Defender, and Monique Kirtley, Assistant Federal Public Defender, counsel for Juan Carlos
20 Sequeira, that the bench trial currently scheduled on October 17, 2018, at the hour of 8:45 a.m.,
21 be vacated and set to a date and time convenient to this Court, but no sooner than thirty (30)
22 days.

23 This Stipulation is entered into for the following reasons:

24 1. Undersigned counsel will be out of the jurisdiction during the currently
25 scheduled hearing date.

26 2. The defendant is not in custody and does not oppose a continuance.

1 3. Additionally, denial of this request for continuance could result in a miscarriage
2 of justice. The additional time requested by this Stipulation is excludable in computing the time
3 within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United
4 States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code
5 §§ 3161(h)(7)(B) and 3161(h)(7)(B)(iv).

6 This is the second request for a continuance of the bench trial.

7 DATED this 3rd day of October, 2018.

8
9 RENE L. VALLADARES
10 Federal Public Defender

 DAYLE ELIESON
 United States Attorney

11 /s/ *Monique Kirtley*
12 By _____

 /s/ *Allison Reese*
13 By _____

14 MONIQUE KIRTLEY
15 Assistant Federal Public Defender

 ALLISON REESE
16 Assistant United States Attorney

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JUAN CARLOS SEQUEIRA,

Defendant.

Case No. 2:18-mj-492-PAL

FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Undersigned counsel will be out of the jurisdiction during the currently scheduled hearing date.
2. The defendant is not in custody and does not oppose a continuance.
3. Additionally, denial of this request for continuance could result in a miscarriage of justice. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code §§ 3161(h)(7)(B) and 3161(h)(7)(B)(iv).

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The continuance sought herein is excludable under the Speedy Trial Act, title 18, United States Code, Section 3161(h)(7)(A), when considering the facts under Title 18, United States Code, §§ 316(h)(7)(B) and 3161(h)(7)(B)(iv).

IT IS THEREFORE ORDERED that the bench trial currently scheduled on Wednesday, October 17, 2018 at 8:45 a.m., be vacated and continued to November 21, 2018, at 8:45 a.m.

Tygo A. Teer
UNITED STATES MAGISTRATE JUDGE